

TRANSPORTATION AND ENVIRONMENT COMMITTEE MEETING RECORD

The Transportation and Environment Committee (TEC) meetings are recorded. Agenda materials are available online at www.dallascityhall.com. Recordings may be reviewed/copied by contacting the TEC Staff Coordinator at 214-670-4545.

Meeting Date: August 10, 2010 **Start Time:** 2:01 p.m. **Adjournment:** 3:16 p.m.

Committee Members Present:

Linda L. Koop (Chair), Sheffie Kadane (Vice-Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Delia Jasso, Pauline Medrano and Ron Natinsky

Committee Members Absent:

Vonciel Jones Hill absent on City Business

Other Council Members Present:

David Neumann

City Executive Staff Present:

A.C. Gonzalez, Assistant City Manager
Jill A. Jordan, Assistant City Manager

TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA

1. Approval of Minutes for June 14, 2010

Action Taken/Committee Recommendation:

Motion was made to approve the minutes for the June 14, 2010 meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Kadane

Seconded by: Natinsky

Passed unanimously

2. Community Gardens

Presenter: Kris Sweckard, Managing Director, Office of Environmental Quality

Mr. Sweckard provided a follow up to the May 10, 2010 TEC briefing with a revised proposal to allow community gardens on vacant lots by right in all districts other than (P) Parking. David Cossum, Assistant Director, Sustainable Development and Construction, assisted in answering questions.

Action Taken/Committee Recommendation:

Mr. Kadane asked about the estimated timeline for Zoning Ordinance Committee (ZOC) and City Plan Commission (CPC) review of the recommendations. Mr.

Cossum stated that the proposal could be presented to ZOC and CPC fairly quickly and anticipated that the issue could return to TEC by end of the year.

Ms. Davis stated that she is pleased with the current proposal. She asked if the building inspection permit fee of \$215 was a one-time fee. Mr. Sweckard stated that it would be an annual permit of \$215 per year. Ms. Medrano asked if there were other fees in addition to the \$215 permit. Mr. Sweckard stated that the only other potential fees would be for electrical or water meter permits.

Mr. Kadane asked for clarification on the statement in the presentation that said, "community gardens are currently not allowed if the lot is vacant and the garden is not accessory to a main use." Mr. Sweckard stated that a garden located behind a house, for example, is already allowed as an accessory to the house. However, if the property is vacant with no structures, a garden is not allowed.

Mr. Kadane stated that he did not agree with individuals from outside a neighborhood establishing a community garden.

Ms. Jasso stated that the new Option 6 which would allow gardens by right with an annual permit would protect neighborhoods if the property owners did not want a garden in their neighborhood.

Mr. Natinsky stated that he shares Mr. Kadane's concern about people from outside a neighborhood creating a garden on a vacant lot, but indicated that the Committee should move the proposal forward the ZOC.

Motion was made to send "Option 6: Gardens by Right with Annual Permit" forward to the Zoning Ordinance Committee and City Plan Commission for review and recommendations.

Made by: Jasso Seconded by: Davis Passed unanimously

3. Streetcar and Public Service Provider Coordination within Public Right-of-Way
Presenters: A.C. Gonzalez, Assistant City Manager, and Alan Hendrix, Assistant Director, Public Works and Transportation

Mr. Gonzalez and Mr. Hendrix updated the Committee on the process of streetcars in the right of way and the impact on underground utilities.

Action Taken/Committee Recommendation:

Ms. Koop stated that these rules have to be in place to expand and operate a streetcar system and that she hopes there are no future delays.

Mr. Kadane asked about the cost of the proposed streetcar operating manual and if the TIGER funds would be affected by this project. Mr. Gonzalez stated that the cost would be absorbed internally from staff time with no production cost. He also stated that there was no impact on the TIGER grant funding.

Mr. Natinsky asked when staff expected to bring the proposal to Council. Mr. Gonzalez stated that he expects to bring the proposal to Council for approval within four months. Mr. Natinsky requested that Mr. Gonzalez keep the Committee informed if any issues came up that would prevent meeting the four month schedule.

Motion was made to delay the proposal and return it to the Committee within four months.

Made by: Natinsky

Seconded by: Kadane

Passed unanimously

4. North Central Texas Council of Governments 2009-2010 Sustainable Development Grant – City of Dallas Awarded Projects

Presenter: John Brunk, Program Manager, Sustainable Development and Construction

Mr. Brunk briefed the Committee on the Sustainable Development projects that had been approved by the RTC within the City of Dallas. A Council item was scheduled for August 25, 2010 to confirm City support for the projects and authorizing the City Manager to enter into agreements to facilitate the projects. David Schleg, a Senior Planner with Sustainable Development and Construction, and Sue Hounsel, a Senior Coordinator with Economic Development, helped answer questions.

Action Taken/Committee Recommendation:

Ms. Koop indicated that she was pleased with the City's list of approved projects.

Ms. Davis asked if all of the projects listed were in the City of Dallas. Mr. Brunk confirmed that the nine "infrastructure" and three "planning" projects are located within the City of Dallas.

Ms. Koop mentioned to the Committee that if any of the listed planning projects are near their district, they should meet with the applicant to see what the study area parameters are and offer ideas.

Mr. Natinsky commented that the projects are required to have appropriate zoning, but that their financing may, or may not, be fully in place which could impact the project. Ms. Hounsel noted that agreements with NCTCOG must be completed within a year, but developers would have until 2013 to start construction, which will allow time to get financing lined up.

Mr. Atkins asked if the City had reviewed the forwardDallas! Plan to identify other areas for investors looking towards development. Ms. Koop stated the forwardDallas! map identifies areas that are appropriate for development density and that the region is looking to incorporate everyone's comprehensive plans into an overall plan. She commented that the City's Plan will probably become the roadmap for the region.

Mr. Atkins stated that a number of the Committee members were not on the Council during the development and approval of the forwardDallas! Plan and suggested a briefing at a future meeting. Ms. Koop suggested that staff provide an overview of the forwardDallas! Plan at a joint meeting of the Transportation and Environment Committee and Quality of Life Committee before the National League of Cities Conference. Ms. Koop also suggested that the briefing include a discussion about where federal authorities are going with sustainable development and how they are

breaking down the silos of HUD, FTA, USDOT, and the EPA.

Motion was made to recommend Council approval on August 25, 2010 of the resolution authorizing support for the selected sustainable development projects and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners.

Made by: Medrano

Seconded by: Jasso

Passed unanimously

5. Upcoming Agenda Item

Unnumbered draft agenda item for the August 25, 2010 City Council Agenda by the Dallas Police Department/City Attorney's Office

An ordinance adding Section 30-3.2 and amending Section 30-5 of Chapter 30, "Noise," of the Dallas City Code to prohibit the use of engine compression brakes in the city.

Jill Jordan, Assistant City Manager, Chief T.W. Lawrence and Chief M.S. Bratcher, Dallas Police Department, and Lisa Christopherson, City Attorney's Office, answered questions.

Action Taken/Committee Recommendation:

Mr. Atkins indicated that he had some safety concerns regarding a prohibition on the use of engine compression brakes.

Mr. Neumann stated that the neighbors in Kessler Park and Kings Highway, along I-30, were offended by the noise from the repeated use engine brakes. He indicated that he requested assistance from TxDOT to see how the state could pursue the issue and that TxDOT informed him about a muffler process. Ms. Jordan stated that the draft ordinance is written to restrict the use of brakes.

Mr. Natinsky stated that he does not agree with pursuing the muffler process, and believes that it is not appropriate to use engine brakes within the City. He commented that he has been through other cities with signs posted restricting the use of engine brakes. He asked about the cost of installing signs. Mr. Neumann stated that TxDOT would install the signs at no cost to the City.

Ms. Davis suggested that the signs say that the brakes are only allowed in the case of an emergency. Ms. Christopherson said that the draft ordinance could be amended to add that it was a defense to prosecution to use an engine brake in an emergency situation.

Motion was made to recommend Council approval on August 25, 2010 of the restriction on the use of engine compression brakes with the addition that it would be a defense to prosecution that a brake was used in an emergency situation.

Made by: Natinsky

Seconded by: Davis

Passed unanimously

Linda L. Koop, Chair
Transportation and Environment Committee